

EXHIBIT UU

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,
and

CASE NO.:
WDQ-02-CV-648

KATHY KOCH,
Intervenor/Plaintiff,

vs.

JURY DEMANDED

LA WEIGHT LOSS CENTERS, INC.,
Defendant.

VIDEOTAPED DEPOSITION OF

CHRISTINE STONECIPHER

1180 WEST PEACHTREE STREET, SUITE 650

JANUARY 20, 2006

REPORTED BY:

ANNA-MARIE CHEAK, RPR/CSR

ESQUIRE DEPOSITION SERVICES

ATLANTA OFFICE - 404-872-7890

FILE NO: 420130

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1 for a position and you were deciding which one to
2 hire, more candidates than positions. You were
3 deciding which one to hire. Did you have any
4 discretion on -- you or any other person in an Area
5 Manager position or when you were Regional, have any
6 discretion in terms of who to hire?

7 A Yes.

8 Q Did, to your knowledge, Area Managers vary
9 in terms of how they exercise their discretion?

10 MR. WETCHLER: Object to the form.

11 You can answer. Also, object to lack of
12 foundation.

13 THE WITNESS: I don't know how other
14 Area Managers or Regional Managers did
15 their hiring. I wasn't there during that
16 time. I wasn't with them, so unless they
17 were under my supervision, I don't know
18 how they did it.

19 BY MR. ANDERSON:

20 Q Area Managers under your supervision when
21 you were a Regional?

22 A Yes.

23 Q Do you know whether they exercised their
24 discretion differently?

25 A Differently than myself?

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1 Q Or differently from each other?

2 MR. WETCHLER: Object to the form.

3 It's vague. You can answer.

4 BY MR. ANDERSON:

5 Q I'm asking you if you know.

6 A I don't know, but I was very specific
7 about what we were looking for in an employee, and
8 they would discuss the applicants with me and tell
9 me about the conversation and why they felt one
10 applicant would be a better choice over another one,
11 and we would discuss it then, and that gave me a
12 great learning tool to teach them good hiring
13 practices.

14 Q But when it came down to it, there was
15 some discretion within the decision-maker as to who
16 they personally wanted to hire as between different
17 candidates, correct?

18 A Yes.

19 Q When you were an Area Manager, did you
20 train your -- let me back up. When you were a
21 Regional Manager, did you train your subordinates on
22 Equal Employment Opportunity Laws?

23 A Not specifically no, not to my
24 recollection. We talked about who would be a good
25 candidate in the hiring process as far as the inside

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1 not the outside, but I didn't -- to my knowledge,
2 no.

3 I don't recall saying don't discriminate
4 because he's a man, it's a woman, she's over-weight,
5 he's over-weight, they're purple, green,
6 African-American or what-not.

7 MR. WETCHLER: Corbett, do you have a
8 sense as to how many more questions you
9 have?

10 MR. ANDERSON: No.

11 MR. WETCHLER: Not really?

12 MR. ANDERSON: Well, some.

13 MR. WETCHLER: Let's take a break.

14 VIDEOGRAPHER: Off the record at 1:12
15 p.m.

16 (Brief recess)

17 VIDEOGRAPHER: The time is 1:25 p.m.
18 and we are back on the record.

19 BY MR. ANDERSON:

20 Q Ms. Stonecipher, you said that you
21 remember being Regional Manager in Virginia, in
22 charge of Northern Virginia and Richmond?

23 A And Western Virginia, also. We opened up
24 Centers in Charlottesville and Harrisonburg.

25 Q And to the best of your recollection, that

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1 began -- your term as Regional Manager began in May
2 of 1999?

3 A To the best of my recollection.

4 Q And the organizational charts indicated it
5 was May 10th; does that ring a bell?

6 A Yes.

7 Q As Regional Manager in the -- from May
8 10th, 1999 onward until you were not Regional
9 Manager again, with respect to the Richmond area,
10 you said that you did all the phone screening?

11 A I did.

12 Q All the interviewing?

13 A I did.

14 Q And all the hiring?

15 A I did.

16 Q I want to show you something. I'd like to
17 have this Exhibit marked as Exhibit 14.

18 (Whereupon, marked for
19 identification purposes,
20 Defendant's Exhibit No. 14)

21 BY MR. ANDERSON:

22 Q Ms. Stonecipher, I had this Exhibit
23 marked. It appears to be a resume. At the top of
24 the resume it is stamped with a facsimile stamp
25 giving the phone number and the date?

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1 A Yes.
 2 Q It's a resume of a person named R.
 3 Constantine Fraites, who at least at the time lived
 4 in Richmond. Do you recognize this resume?
 5 A I don't recognize the resume. I recognize
 6 the handwriting on the top.
 7 Q Whose handwriting is it?
 8 A Mine.
 9 Q Can you for the camera and those observing
 10 the camera --
 11 A Absolutely.
 12 Q Thank you.
 13 A Okay.
 14 Q No further questions.
 15 A Okay.
 16 MR. WETCHLER: I have a few
 17 questions, but I'll be brief.
 18 FURTHER EXAMINATION
 19 BY MR. WETCHLER:
 20 Q Can you tell me, do you recall why you
 21 wrote the word man on the resume?
 22 A I don't recall; however, by looking at the
 23 resume, my guess would be because it's got a first
 24 initial, and since there's a first initial
 25 regardless of if it's a man or a woman, what is it

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1 as far as the application process went, so now I
 2 know who this is and what's going on with the
 3 experience.
 4 Q All right. You testified earlier that --
 5 and I'm not going to get your words exactly right,
 6 and I'm not trying to; I'm trying to get the
 7 concept.
 8 A It's okay.
 9 Q That you believe that you didn't measure
 10 up on the inside to what Eileen Stankunas was
 11 looking for?
 12 A Correct.
 13 Q All right, do you have any belief as to in
 14 what way on the inside you didn't measure up to what
 15 Eileen Stankunas was looking for?
 16 A Yes.
 17 Q Go ahead.
 18 A In the sense of I am a very
 19 straightforward Manager. I am -- during all my
 20 tenure as being a Manager, I'm known as a fix-it
 21 Manager, because I can go into a bad situation,
 22 assess it, figure out what's wrong and make it
 23 better immediately.
 24 So I've gotten quick abilities as far as
 25 that goes. I'm also very strong on policies and

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1 procedures, and I follow the line, and since I
 2 follow the line, if somebody else is not, no matter
 3 what that occasion would be, I would be the first to
 4 say something, so I'm rather outspoken, and that was
 5 not an attribute that Eileen found as positive.
 6 Q Can you recall being outspoken about
 7 anything that Eileen Stankunas objected to?
 8 A Not off the top of my head, no.
 9 Q Can you recall following the rules in any
 10 way that Eileen Stankunas found objectionable?
 11 A Only I vaguely recall a conversation that
 12 we had about POAs, which are numbers, on which the
 13 staff is graded on, how are they doing as far as
 14 closing ratio and dollar amounts that they're
 15 bringing in, where I followed policies and
 16 procedures because there were guidelines of where an
 17 individual should be, and based on their tenure with
 18 the company, and I would give a new employee more
 19 time to ramp up than an experienced employee.
 20 Q Do you consider yourself to be a person
 21 who has a mind of their own?
 22 A Very much so.
 23 Q Was that considered -- do you believe that
 24 was considered to be a plus or minus by Eileen
 25 Stankunas?

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1 A A minus.
 2 Q Do you have any understanding or belief as
 3 to whether Eileen Stankunas surrounded herself with
 4 people that had a mind of their own, or people who
 5 didn't have a mind of their own?
 6 A My belief is that she surrounded herself
 7 with people who didn't have a mind of their own and
 8 would follow her fearlessly.
 9 Q Were there any things that Eileen
 10 Stankunas asked you to follow her on fearlessly that
 11 you believed were illegal?
 12 A Not to my knowledge, no.
 13 Q And did Eileen Stankunas ever say, don't
 14 hire men?
 15 A No.
 16 Q Did she ever imply to you that men
 17 shouldn't be hired?
 18 A No.
 19 Q Did she ever say or do anything that lead
 20 you to believe she didn't like you because a man was
 21 hired in your area?
 22 A No.
 23 Q Do you believe that the fact that a man
 24 was hired in your area had anything to do with the
 25 way Eileen Stankunas felt about you?